

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA  
CHARLESTON DIVISION

IN RE: DIGITEK PRODUCT LIABILITY  
LITIGATION

MDL NO. 1968

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THIS DOCUMENT RELATES TO ALL CASES

O R D E R

Currently pending before the court is Defendants' Motion to Quash or Modify Subpoena, filed June 4, 2009. (Docket # 134.) In the Motion, Defendants Actavis Totowa LLC, Actavis Inc., and Actavis Elizabeth LLC (hereinafter collectively referred to as "Defendants") seek an order quashing or modifying a Subpoena served by Plaintiffs on a nonparty, Gibraltar Laboratories, Inc. The Subpoena is returnable on June 8, 2009, and Defendants request a stay of the Subpoena until the court rules on their motion.

It is hereby **ORDERED** that Defendants' request for a stay of the Subpoena served on Gibraltar Laboratories, Inc. is **GRANTED** and Gibraltar Laboratories, Inc. need not comply with the Subpoena until the court has ruled on Defendants' motion. It is further hereby **ORDERED** that Plaintiffs file a written response to Defendants' motion on or before **June 9, 2009**, and that Defendants file a written reply on or before **June 15, 2009**. If necessary, the court will hear oral argument on the motion at the status conference scheduled for June 17, 2009.

The Clerk is requested to mail a copy of this order to Gibraltar Laboratories, Inc., 122 Fairfield Road, Fairfield, NJ 07004.

ENTER: June 4, 2009

  
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Mary E. Stanley  
United States Magistrate Judge